

ENCLOSURE 1

Air Resources Board

September 1997

Background on the AB 1807 Toxic Air Contaminant Program

AB 1807 Toxic Air Contaminant Program

California's Air Toxics Program was established in 1983 by Assembly Bill (AB) 1807 (Tanner, Chapter 1047, statutes of 1983, Health and Safety Code sections 39650-39675). It is a program administered by the Air Resources Board (ARB/Board) to reduce the public's exposure to toxic air contaminants (TACs).

The program consists of a two-phased process which separates risk assessment (identification of a substance as a toxic air contaminant) from risk management (the control). During the identification phase, a report is developed which determines whether there are potential adverse health effects from substances in consideration of the quantities of their emissions and human exposure in California. The report also contains health values to be used in risk assessment and risk management. After a public comment period, the report is submitted to the independent Scientific Review Panel (SRP) who reviews the report for scientific accuracy and submits its findings to the Board. If the Board formally identifies a substance as a TAC, it enters the risk management phase. In the risk management phase, the ARB staff determines the need for and appropriate degree of controls in consideration of cost and potential health benefits. Both the identification phase and control phase are open public processes in which the ARB staff actively seeks industry and public participation.

AB 2728 Identification of Federal HAPs as TACs

In 1992, AB 2728 (Tanner, Chapter 1161, statutes of 1992) amended the AB 1807 Air Toxics Program by requiring that the Board identify, as TACs, the 189 federal Hazardous Air Pollutants (HAPs) listed in section 112(b) of the federal Clean Air Act Amendments of 1990. The Board officially identified the HAPs as TACs on April 8, 1993. The intent of AB 2728 was to save the state the time and expense of individually identifying each of the 189 HAPs as TACs, in recognition of the fact that the Congress and United States Environmental Protection Agency (U.S. EPA) have already conducted an extensive process to evaluate and identify these substances. However, not all of the 189 HAPs have peer reviewed health values to use in risk assessment and later in risk management.

SB 1731 Risk Assessment Guidelines

In 1992, Senate Bill (SB) 1731 (Chapter 1162, statutes of 1992, Health and Safety Code sections 44390-44394) was enacted which modified the AB 2588 Air Toxics “Hot Spots” Information and Assessment Act (Air Toxics “Hot Spots” Act) of 1987 (Chapter 1252, statutes of 1987, Health and Safety Code sections 44300-44393). SB 1731 in-part, requires the Office of Environmental Health Hazard Assessment (OEHHA) to develop and adopt risk assessment guidelines for implementing the AB 2588 Air Toxics “Hot Spots” Act. As part of the guidelines, OEHHA will be including health values that can be used for noncancer and cancer risk assessment.

The draft guidelines and technical support documents are being developed using a process involving the public, industry, and SRP. The exposure assessment and stochastic analysis guidelines, cancer potency guidelines, and acute non-cancer draft guidelines are nearly complete and have been through an internal and public review. The chronic non-cancer draft guidelines are currently in the internal review phase and then will be sent out for public review. The OEHHA is also planning to release how-to-do risk assessment guidelines later this year. Following the public review of all documents, the draft guidelines will be reviewed by the SRP and then adopted by OEHHA.

What Is the Purpose of the Toxic Air Contaminant Identification List?

The purpose of the list is to: 1) identify substances of potential concern in California, 2) fulfill requirements of state law by setting priorities for review of listed substances, 3) inform the public of substances under evaluation, and 4) provide the public with the opportunity to comment on priorities of the TAC Identification Program. This list currently contains 244 substances, including the federal HAPs. The first TAC Identification List was approved by the ARB on January 27, 1984, and contained 47 substances. It was recognized that the list would be dynamic and would be reviewed and updated periodically. The list was updated in 1985, 1987, 1988, 1989, 1990, 1991, 1993, and 1996.

June 1996 TAC Identification List

The TAC Identification List was last updated in June 1996, when the Board approved the removal of acetone from Category III. The June 1996 list (see Enclosure 2) was divided into three categories. Category I contains substances which have formally been identified as TACs by the Board. This includes all federal HAPs listed in section 112(b) of the Federal Clean Air Act Amendments of 1990. Category I is regulatory and appears in Title 17 of the California Code of Regulations, sections 93000 and 93001. Category II includes those chemicals which are currently under review or are nominated for review for identification as TACs, and Category III consists of substances which are being evaluated for possible entry into Category II.

ARB/SSD/SES
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